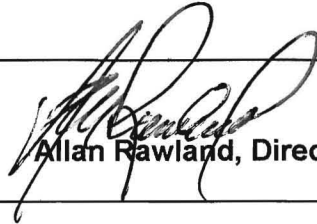


**County of San Bernardino
Department of Behavioral Health**

Title 22 Fair Hearing Rights Policy

Effective Date 1/29/07
Approval Date 1/29/07



Allan Rawland, Director

Policy It is the policy of the Department of Behavioral Health (DBH) to notify all patients receiving Drug Medi-Cal (DMC) benefits of their right to request a fair hearing at the State level, if there is a denial, involuntary discharge, or reduction in DMC substance abuse treatment services.

*Title 22, California code of Regulations (CCR), section 51341.1(p).

Purpose The purpose of this policy is to communicate with the DMC County Alcohol and Drug Program Administrators and providers the requirement of Title 22, to notify beneficiaries of their rights to request a fair hearing.

ADS, Contract Providers, and Clinics Responsibilities Alcohol and Drug Services (ADS), contract providers, and clinics will advise clients in writing of their State hearing rights. The written notice of State hearing rights must be mailed or handed to the beneficiary ten (10) days prior to the intended action and the notice must include the following:

1. A statement of the intended action.
 2. The reason for the intended action.
 3. A citation of the specific regulation(s) supporting the intended action.
 4. An explanation of the client's rights to a fair hearing for the purpose of appealing the intended action.
 5. An explanation that the client may request a fair hearing by submitting a written request to State Hearing Division, California Department of Social Services (DSS), using the [Title 22 Fair Hearing Rights](#) form.
 6. An explanation that ADS, contract providers, or clinics may continue treatment services pending a fair hearing decision only if the client appeals in writing to DSS for a hearing within ten (10) calendar days of the mailing or personal delivery of the notice of intended action.
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Drug Medi-Cal Beneficiaries Responsibilities All clients have the right to a fair hearing related to denial, involuntary discharge, or reduction in Short-Doyle Drug Medi-Cal substance abuse services as it relates to eligibility or benefits, pursuant to section 50951.

County of San Bernardino

Department of Behavioral Health

Notice of Personal/ Civil Rights

Personal Rights

In Accordance with Title 9, Chapter 4, Section 10569 of the California Code of Regulations, each person receiving services from an Alcohol and Drug Abuse Recovery Program shall have rights (see form below).

Civil Rights

In accordance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title 9, Section 10800; Americans with Disabilities Act of 1990. No person shall experience discrimination (see form below).

Filing Complaints

For the purpose of logging, assigning, and tracking, direct all complaints using the [Notice of Personal Rights/Civil Rights](#) form to DBH Access Unit at:

Department of Behavioral Health
Access Unit
700 E. Gilbert Street, Cottage #4
San Bernardino, CA 92415

Regulations and Section References

Title 22, California Code of Regulations, Sections 50951, 50953, 50955, 51014.1; and 51014.2; welfare and Institutions Code, Sections 10950 through 10965; and the Department of Social Services (DSS) Manual of Policy and Procedures, Chapter 22 will be followed by Clinic staff, Authorization Review Committee and the patient/beneficiary.
